

FILED

September 22 2009

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

FILED

SEP 21 2009

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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IN THE SUPREME COURT OF THE STATE OF MONTANA

IN RE THE PARENTING OF,  
D.N.S. A MINOR,

Cause No.:

ASHLEY N. WATERS,

Petitioner and Appellee,

and

CLAUDE DANIEL SMITH,

Respondent and Appellant.

NOTICE OF APPEAL

NOTICE is given that Claude Daniel Smith, the Appellant above-named and who is the Respondent in that cause of action filed in the Seventeenth Judicial District, in and for the County of Phillips, as Cause No. DR-08-22, hereby appeals to the Supreme Court of the State of Montana from the Findings of Fact, Conclusions of Law and Decree, including Parenting Plan, pronounced on August 21, 2009.

This appeal is subject to the mediation process required by Rule 7, M.R.App.P. The only money sought is child support which is less than \$5,000.00, on a monthly basis.

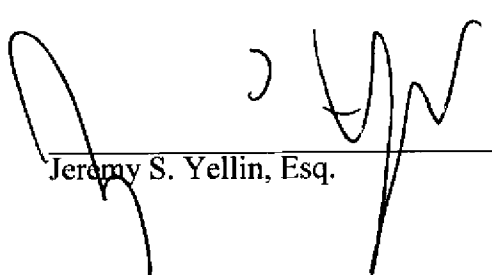
This matter is not an appeal from an order certified as final under M.R.Civ.P.54(b).

Notice is not required under M.R.App.P.27 as there is no challenge to the constitutionality of any act of the Montana Legislature.

That all necessary transcripts of the proceedings in this appeal have been ordered from the court reporter contemporaneously with the filing of this notice of appeal.

1 That included herewith is the filing fee prescribed by statute.

2 DATED this 18<sup>th</sup> day of September, 2009.

3  
4  A handwritten signature in black ink, appearing to read 'J. Yellin', is written over a horizontal line. The signature is stylized with a large initial 'J' and a series of loops for the surname 'Yellin'.  
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6 Jeremy S. Yellin, Esq.  
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Certificate of Service

I hereby certify that on the 10<sup>th</sup> day of September, 2009, I;

☒ Mailed

☐ Hand-delivered


☐ Faxed

a copy of the forgoing document to the following:

Clerk of Phillips County District Court  
P.O. Box 530  
Malta, MT 59538-0530

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\_\_\_\_\_  
Rachel L. Evans